

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David May

Docket Number: 03-00051-001
PACTS Number: 35018

Name of Sentencing Judicial Officer: HONORABLE William H. Walls

Date of Original Sentence: 07/13/2004

Original Offense: Conspiracy to Commit Theft of Interstate Shipment, 18 USC § 371

Original Sentence: 10 months imprisonment; 1 year supervised release

Date of Current Sentence: 01/29/2008

Current Offense: Violation of Supervised Release

Current Sentence: 12 months and 1 day imprisonment; 1 year supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/12/08

Assistant U.S. Attorney: Deborah Gannett, 970 Broad Street, Room 502, Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: David Holman, 1002 Broad Street, Newark, New Jersey 07102 (973) 645-6347

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On August 29, 2009, the offender was arrested by the New Jersey State Police for displaying stolen license plates on his vehicle. He was subsequently charged with receiving stolen property. These charges are pending adjudication at the Newark, New Jersey Municipal Court.

- 2 The offender has violated the supervision condition which states '**You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.**'

At that time of the arrest, the offender was found to be in the company of Joseph Thomas, an individual with an outstanding warrant from Hudson County. The

offender did not have permission to associate with this individual.

- 3 The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

The offender has remained unemployed throughout his supervision term.

- 4 The offender has violated the supervision condition which states '**As a condition of supervision, you are instructed to pay restitution in the amount of \$97,330.00.**'

The offender has not made any payments toward his Court-ordered restitution while under supervision.

- 5 The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

The offender reverted to drug use in that he admitted to a heroin relapse on April 28, 2009, tested positive for opiate use on May 19, 2009, and on September 30, 2009, he admitted to abusing 2/3 bags of heroin daily.

I declare under penalty of perjury that the foregoing is true and correct.

By: Norma de Armas

Senior U.S. Probation Officer

Date: 11/18/09

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: 11/18/2010 @ 9:30 a.m.
☐ No Action
☐ Other

Signature of Judicial Officer

Date: